IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16361 of 2004

Between:

V.Shankar S/o. Mallappa,
R/o.Sowkarpet, Tandur, Ranga Reddy District. .

..... PETITIONER

AND

1 The Prohibition and Excise Superintendent, Ranga Reddy District,
Opp. to Exhibition Gounds, Hyderabad.
2 M/s. Sri Sai Wines, represented by Sri M.Sayanna Goud,
S/o.Ashanna Goud,
R/o.Venkateshwara Colony, Tandur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus directing the respondent No.1 not to consider for the renewal of the licence of the respondent No.2 (Licence bearing No.252) for continuing its business in premises bearing No.4-1-53, C.C.I Road , Tandur, for the year 2004-2005 and for any further period.

Counsel for the Petitioner: MRVENKATARAGHU RAMULU

Counsel for the Respondent No.1: GP FOR PROHIBITION & EXCISE

Counsel for Respondent No.2: None appeared

The Court made the following:

ORDER:

The petitioner claims to be the owner of the premises bearing No.4-1-53, C.C.I. Road, Tandur, Ranga Reddy District, which has been let out to the 2nd respondent, who is holding a licence in form No.IL 24 for retail sale of Indian liquor and foreign liquor.

The petitioner states that though the lease in favour of the 2nd respondent expired, the 2nd respondent failed to vacate the premises and on the other hand, steps are being taken for getting its licence renewed. In the circumstances, he made a representation before the

1st respondent-licencing authority, raising objections for renewal of the licence of the 2nd respondent. However, the 1st respondent failed to consider the same. Hence, this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise appearing for the 1st respondent.

It is relevant to note that as per Rule 29(3) of the A.P.Indian Liquor and Foreign Liquor Rules, 1970, no licence in IL 24 shall be granted unless the applicant produces the lease deed from the owner of the premises. In the light of the statutory provisions, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent to consider the objections raised by the petitioner in his representation dated 25.08.2004 before granting the renewal of licence to the 2nd respondent, if not already granted and to pass appropriate orders in accordance with law.

Accordingly, the Writ petition is disposed of. No costs.

27.10.2004

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To

1. The Prohibition and Excise Superintendent,

Ranga Reddy District,
Opp. to Exhibition Gounds, Hyderabad.

2. 2CCs to the G.P for Prohibition and Excise, High Court Buildings,

Hyderabad.(O.U.T).

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